

City of Shannon Hills, Arkansas
Public Hearing &
Special City Council Meeting
May 27, 2004

The Mayor called the meeting to order at 7:00 p.m.
The Mayor led the pledge of Allegiance.

Roll Call: Present were Mayor Davis, Recorder-Treasurer Curt Wilson, Aldermen, Mike Kemp, Rick Tribble, Linda Linkous and Diane Everett. Aldermen Daniel was absent.

Minutes: no minutes to approve at special meeting.

Financial Report: No financial reports given at special meeting.

Dept Head reports: No Dept Head reports given at special meeting.

The Mayor announced that the first order of business would be a Public Hearing concerning the Sewer and Water bond issue and project.

Public Hearing: Pursuant to act 852 of 1987 and ACA 19-9-607 A public hearing was declared in session on the topic of issuing public bonds for the purpose of financing water and sewer improvements for the water and sewer systems in the city of Shannon Hills Arkansas. It was noted by the Mayor that the public hearing and Council meeting were scheduled to take place on this date (May 27, 2004) at 7:00pm and that notice of said hearing & meeting was published in both the Benton Courier and the Arkansas Democrat-Gazette on May 16, 2004 in the manner required by law.

The Mayor declared the Public Hearing open and invited comments from the floor, related to the question. Following a brief wait the Mayor repeated an invitation for any one in the audience to speak or ask questions.

No comments or questions were offered.

The Mayor then invited comments and/or questions from the Council. Alderman Linkous inquired about the status of the land where the sewer treatment plant construction is planned. The Mayor reported that the city had posted a Fifty Thousand dollar (\$50,000.00) bond and had filed an order of eminent domain in the Saline County Circuit Court. The city is now waiting to be informed of a court date.

Mr. Tim Lemons, of Lemons Engineering, announced that permission to enter the property to conduct soil tests had been granted.

The Mayor asked if anyone knew about when a court date might be set. Mr. Benca stated that the landowner had Thirty (30) days to respond. So the Court date would most likely be set after the owner responds or the time limit passes.

With no further questions or comments forthcoming, The Mayor declared the Public Hearing closed.

The City Council Special Meeting was opened

Item 1. The Mayor introduced Proposed Ordinance 2004-05 to authorize the issuance of revenue construction bonds in an amount not to exceed Four Million-Three Hundred Fifty Thousand Dollars, (\$4,350,000.00). For full title and content refer to Ordinance 2004-05 in the Ordinance binder.

Alderman Kemp made a motion that Ordinance 2004-05 be adopted. The motion received a second from Alderman Everett.

The Ordinance title was read by City Attorney Patrick Benca.

In a roll call vote, Aldermen Kemp, Tribble and Everett voted "yes". Alderman Linkous voted "no". With one absence and one vacancy on the Council, the Mayor cast a "yes" vote. With Four, (4) "yes" votes and one (1) "no" vote, the ordinance passed.

A motion was made by Alderman Kemp "that the rules be suspended and that the Ordinance be presented for a second reading, reading only the Title." The motion received a second from Alderman Everett. The motion was passed by voice vote with no opposition.

The Ordinance title was read by City Attorney Patrick Benca.

In a roll call vote, Aldermen Tribble, Everett and Kemp voted "yes". Alderman Linkous voted "no". With one absence and one vacancy on the Council, the Mayor cast a "yes" vote. With Four, (4) "yes" votes and one (1) "no" vote, the ordinance passed.

A motion was made by Alderman Kemp "that the rules be suspended and that the Ordinance be presented for a third and final reading, reading only the Title." The motion received a second from Alderman Everett. The motion was passed by voice vote with no opposition.

The Ordinance title was read by City Attorney Patrick Benca.

In a roll call vote, Aldermen Everett, Kemp and Tribble voted "yes". Alderman Linkous voted "no". With one absence and one vacancy on the Council, the Mayor cast a "yes" vote. With Four, (4) "yes" votes and one (1) "no" vote, the ordinance passed.

This being the third reading and vote, the ordinance becomes law.

Based on information provided by the Bond issuing firm Alderman Kemp mad a motion that the Council approve the Emergency Clause with respect to Ordinance 2004-05. In so doing the waiting period is reduced from 90 days to 30 days. The Motion received a second from Alderman Tribble. In a roll call vote, Aldermen Everett, Kemp and Tribble voted "yes". Alderman Linkous voted "no". With one absence and one vacancy on the Council, the Mayor cast a "yes" vote. With Four, (4) "yes" votes and one (1) "no" vote, the motion passed and the Emergency Clause is adopted.

For the benefit of those present, Mr. Lemons, offered a review of all that had transpired with respect to the bond issue and related projects. He also reviewed those things that must be done in conjunction with the bond servicing and the distribution of the funds. Bank of the Ozarks is named as the Trustee of the accounts.

The Mayor and Recorder-Treasurer signed the Ordinance and the Bond Service Agreement. Following the signing there was several minutes of unstructured, general conversation about the pros and cons of the project.

Item 2. Interim Police Chief Richard Friend presented an update on Group 6 drug taskforce and Shannon Hills cooperation with them.

He then presented a request to use One Thousand Eight Hundred Fifty Dollars, (\$1,850.00), of Drug *seized money* for the purchase of a canine vehicle. He said one was on hold for the Police Dept. at DF&A M&R. That the vehicle was priced at \$1,700.00 and that he additional money would be needed to buy a police light bar for the roof of the vehicle. Following a brief discussion A motion was made by Alderman Linkous that the purchase be approved. The motion received a second from Alderman Tribble. On a voice vote, the Motion was approved with no opposition.

With all business concluded, the Mayor called for Comments from The floor, then from the Council.

Comments: None.

Alderman Kemp moved that the meeting adjourn. Alderman Tribble provided a second. The motion passed with a voice vote without opposition. The meeting stood adjourned at 8:50pm

Date: _____

Approved: _____
Larance Davis, Mayor

Attest: _____
Curt Wilson, Recorder-Treasurer